

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-12757
Date Received: 9-17-01
Receipt No: C056247
Received By: CA

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 17 2001

1. Name of Claimant(s)

DON L DURTSCHI Phone: (208)342-3772

Department of Water Resources

3809 N 39TH
BOISE ID USA 83703

J RAY DURTSCHI Phone: (208)342-3772

3809 NORTH 39TH ST
BOISE ID USA 83703

REED R DURTSCHI Phone: (208)342-3772

3809 NORTH 39TH ST
BOISE ID USA 83703

2. Date of Priority: 04/01/1894

3. Source: TETON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	8	NE NW SE 3	TETON	

5. Description of diverting works:

ALL DIVERSION LOCATED IN WYOMING, SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	3.51	

7. Total Quantity Appropriated is:
3.51 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
05N	46E	8	NE	SW	IRRIGATION	22.2	
			NW	SW	IRRIGATION	22.2	
			SW	SW	IRRIGATION	40	
			SE	SW	IRRIGATION	40	
			NW	SE	3	IRRIGATION	18.3
			SW	SE	4	IRRIGATION	33
Section Acres						175.7	
Total Acres						175.7	

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION IS T44N, R118W, S23, SESW, TETON COUNTY, WY. CURRENT NAME IS THE NORTH SIDE CANAL, ORIGINALLY THE PRATT DITCH.

POINT OF DIVERSION SHOWN ON THE CLAIM IS WHERE THE CANAL ENTERS IDAHO.

5. DESCRIPTION OF DIVERSION WORKS:

DIVERSION FROM TETON CREEK IS BY MEANS OF A DIVERSION DAM OR HEADGATE WHICH DIVERTS WATER INTO THE NORTH SIDE CANAL IN TETON COUNTY, WYOMING. WATER IS CARRIED IN THE NORTH SIDE CANAL TO A NORTH SIDE PIPE LINE COMPANY PIPELINE. WATER IS THEN CARRIED BY A NORTH SIDE PIPE LINE COMPANY PIPELINE TO CLAIMANTS LAND FOR IRRIGATION BY A SPRINKLER IRRIGATION SYSTEM. (SEE ATTACHED MAP PREPARED BY WYOMING STATE ENGINEER AS PART OF A PETITION TO THE WYOMING STATE BOARD OF CONTROL FOR CHANGE IN POINTS OF DIVERSION AND MEANS OF CONVEYANCE OF APPROPRIATIONS AT THE TIME OF CONSTRUCTION OF THE NORTH SIDE CANAL COMPANY SPRINKLER IRRIGATION SYSTEM).

THE NORTH SIDE CANAL WAS FORMERLY KNOWN AS THE PRATT DITCH OR PRATT CANAL. THE CANAL VARIES IN WIDTH FROM APPROXIMATELY 10 FEET TO 6 FEET AND DEPTH FROM TWO FEET TO 5 FEET DEPENDING UPON THE TERRAIN.

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): J. B. Quatschi Date: 9-17-01

Date:

State of Idaho)
County of Ada) SS.

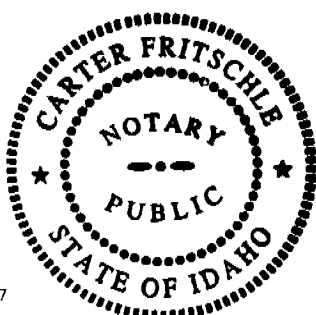
Subscribed and sworn (or affirmed) before me this 17th day
of September 2001

Carter Fritschle

Notary Public

Residing at Kuna ID

My commission Expires 3-21-2006



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-12757
Date Received: 4/10/1989
Receipt No: C005977
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. RAY DURTSCHI 208-342-3772
Address: 3809 NORTH 39TH ST.
BOISE, ID 83703
AND/OR
Name: REED R. DURTSCHI 208-342-3772
Address: 3809 NORTH 39TH ST.
BOISE, ID 83703
AND/OR
Name: DON L. DURTSCHI 208-342-3772
Address: 3809 N. 39TH
BOISE, ID 83703

A2212757



2. Date of Priority: APR 01, 1894

3. Source: TETON CREEK (WYOMING) Trib. to: TETON RIVER (IDAHO)

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	46E	8	NE	NW	SE		TETON

5. Description of diverting works:

ALL DIVERSION LOCATED IN WYOMING, SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.600		

7. Total Quantity Appropriated is:

2.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 260.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

A22-12757

Page 1

Date: 04/10/89

MICROFILM

NOV 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	46E	8	NE	SW		IRR	22.0
			NW	SW		IRR	22.0
			SW	SW		IRR	8.0
			SE	SW		IRR	27.0
			NW	SE	3	IRR	18.0
			NW	SE	4	IRR	33.0

Section Acres 130.0

Total Acres 130.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

ALL DIVERSION WORKS ARE LOCATED IN WYOMING ALTHOUGH THEY WEE DESCRIBED IN POD IN IDAHO. THE DIVERSION FROM TETON CREEK IS BY MEANS OF A HEADGATE. DIVERSION IS INTO A COMMUNITY DITCH WHICH SERVES A NUMBER OF WYOMING USERS AS WELL AS CLAIMANTS. THE ORIGINAL DITCH WAS KNOWN AS THE PRATT DITCH, PARTS OF WHICH WERE LATER RELOCATED TO AVOID DIFFICULT DIKING REQ.S. THE RELOCATED DITCH IS KNOWN AS THE BROWN-CLEMENTS DITCH. THE DITCH VARIES IN WIDTH FROM APPROXIMATELY 12' TO 6' AND DEPTH FROM 2' TO 5' DEPENDING ON TERRAINE. WATER WAS ORIG. CARRIED FROM THE PRATT/BROWN CLEMENTS DITCH TO CLAIMANTS LAND WHERE IT ABUTS THE IDAHO/WYOMING BOUNDARY LINE BY A FEEDER DITCH WHICH WAS APROXIMATELY 4' WIDE AND 3' DEEP. IN 1960, THE U.S. SOIL CONSERVATION SERVICE DESIGNED A GRAVITY SPRINKLER IRR. SYSTEM FOR THE WYOMING/IDAHO USERS FROM THE PRATT/CLEMENTS DITCH. THE NORTHSIDE SPRINKLER CO., A WYOMING CORP., WAS ORGANIZED TO CONSTRUCT APIPELINE DELIVERY SYSTEM. WATER IS NOW CARRIED THROUGH APIPELINE FROM THE DITCH TO THE CLAIMANTS LAND.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/27/1942

Decree Plaintiff

vs

Decree Defendant

A22-12757

Page 2

Date: 04/10/89

MICROFILM

NOV 07 1992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

A22-12757

Date Received

Receipt Number

0005977

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
OCT 05 1988

Department of Water Resources

Please type or print clearly

J. Ray Durtschi, and/or;
Reed R. Durtschi, and/or;
Don L. Durtschi

Phone (208) 342-3772

1. Name of Claimant (s)

Mailing Address 3809 North 39th, Boise, IdahoZip 837032. Date of Priority (Only one (1) per claim) April 1, 1894

3. Source of water supply (a) Teton Creek in the state of Wyoming
which is tributary to (b) Teton River in the state of Idaho

4. a. Location of existing point of diversion is: In the state of Wyoming, approximately 5 miles
Township Range Section,
East of the Idaho/ Wyoming boundary line.
1/4 of 1/4 of 1/4, Govt. Lot, B.M., County of Teton County, Wyoming

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. See attached sheet.

MICROFILM

NOV 07 1992

5. Description of existing diversion works.

All diversion works are located in the State of Wyoming. Diversion from Teton Creek is by means of a headgate. Diversion is into a community ditch which serves a number of Wyoming users as well as claimants. The original ditch was known as the Pratt ditch, parts of which were later relocated to avoid difficult diking requirements. The relocated ditch is known as the Brown-Clements ditch. The ditch varies in width from approximately 12 feet to 6 feet and depth from two feet to 5 feet depending upon the terrain. Water was originally carried from the Pratt/Brown-Clements ditch to claimant's land where it abuts the Idaho/Wyoming boundary line by a feeder ditch which was approximately 4 feet wide and 3 feet deep. In 1960 the U.S. Soil Conservation Service designed a gravity sprinkler irrigation system for the Wyoming and Idaho users from the Pratt/Brown-Clements ditch. The Northside Sprinkler Company, a Wyoming Corporation, was organized to construct a pipeline delivery system. Water is now carried from the Pratt/Brown-Clements ditch to claimant's land where it abuts the Idaho/Wyoming boundary by a pipeline which is part of the Northside Sprinkler Company delivery system.

Last Name--Durtschi, Ident No. _____

MICROFILM

NOV 07 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Oct. 15 amount 2.60 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.60 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 260 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	46E	8									22	22	8	27		Lot 3 18	Lot 4 33		130

Total number of acres irrigated 130

11. In which county (ies) are lands listed above as place of use located? Teton

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (XX)

14. Remarks: Item 5. Description of Diversion Work is included as an attachment on a separate sheet.

MICROFILM

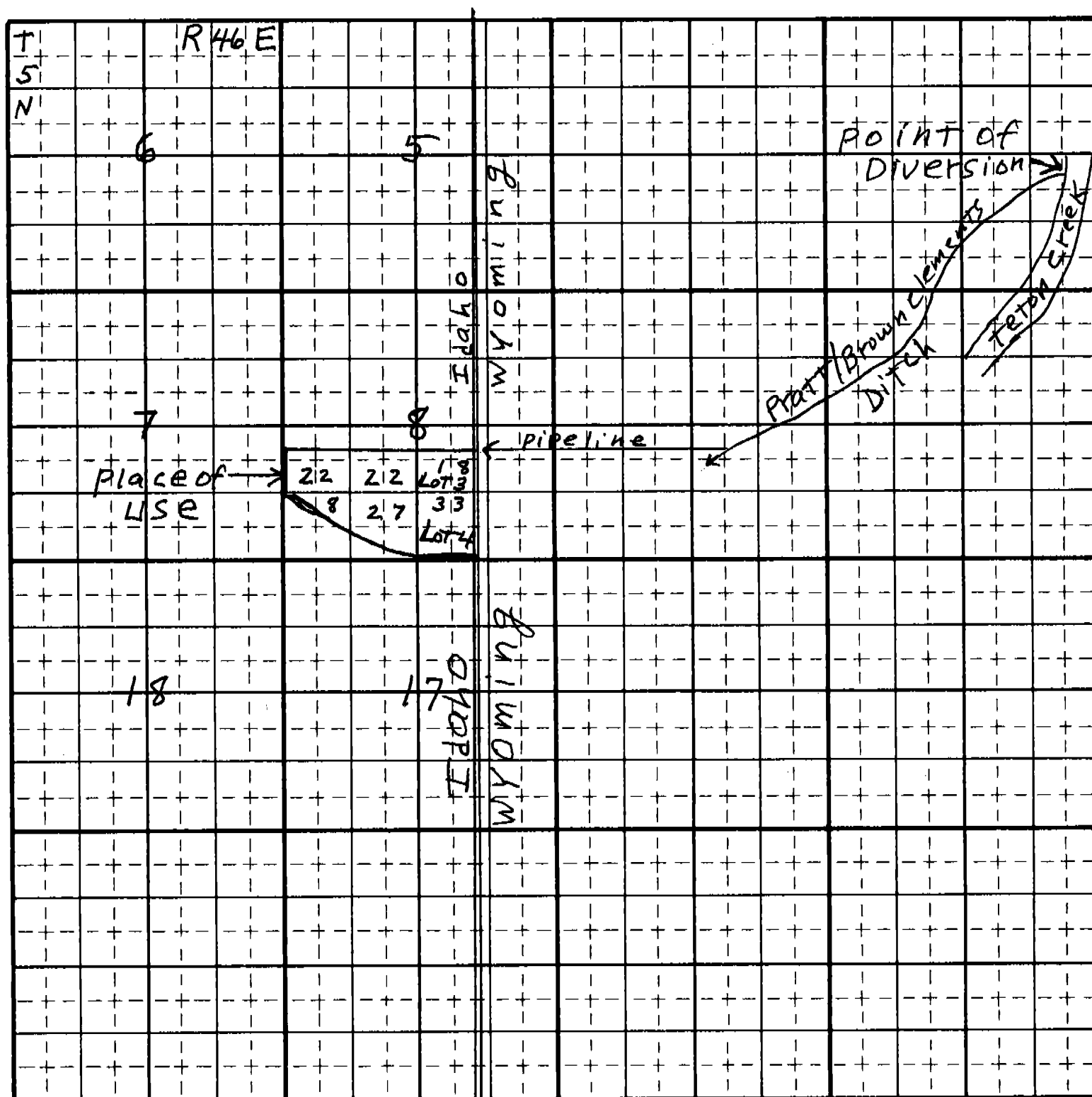
NOV 07 1992

Last Name Durtschi Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILM

NOV 07 1992

Last Name Durtschi

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number _____

Court District Court, 9th J.D. Case Number None Decree Date March 27, 1942

Plaintiff vs Defendant Federal Farm Mortgage Corporation v. Lynn Crandall, Watermaster of Water Dist. #36 et.al. -- Decree filed in Book 59 of Judgments, Page 366 ,

16. Signature (s) Teton County Recorder.

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) J. Durtschi

Date Oct. 5, 1988

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title _____

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 15th

day of October

19 88

Notary Public John H. Read

Residing at Boise, Idaho

My Commission Expires 9-29-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

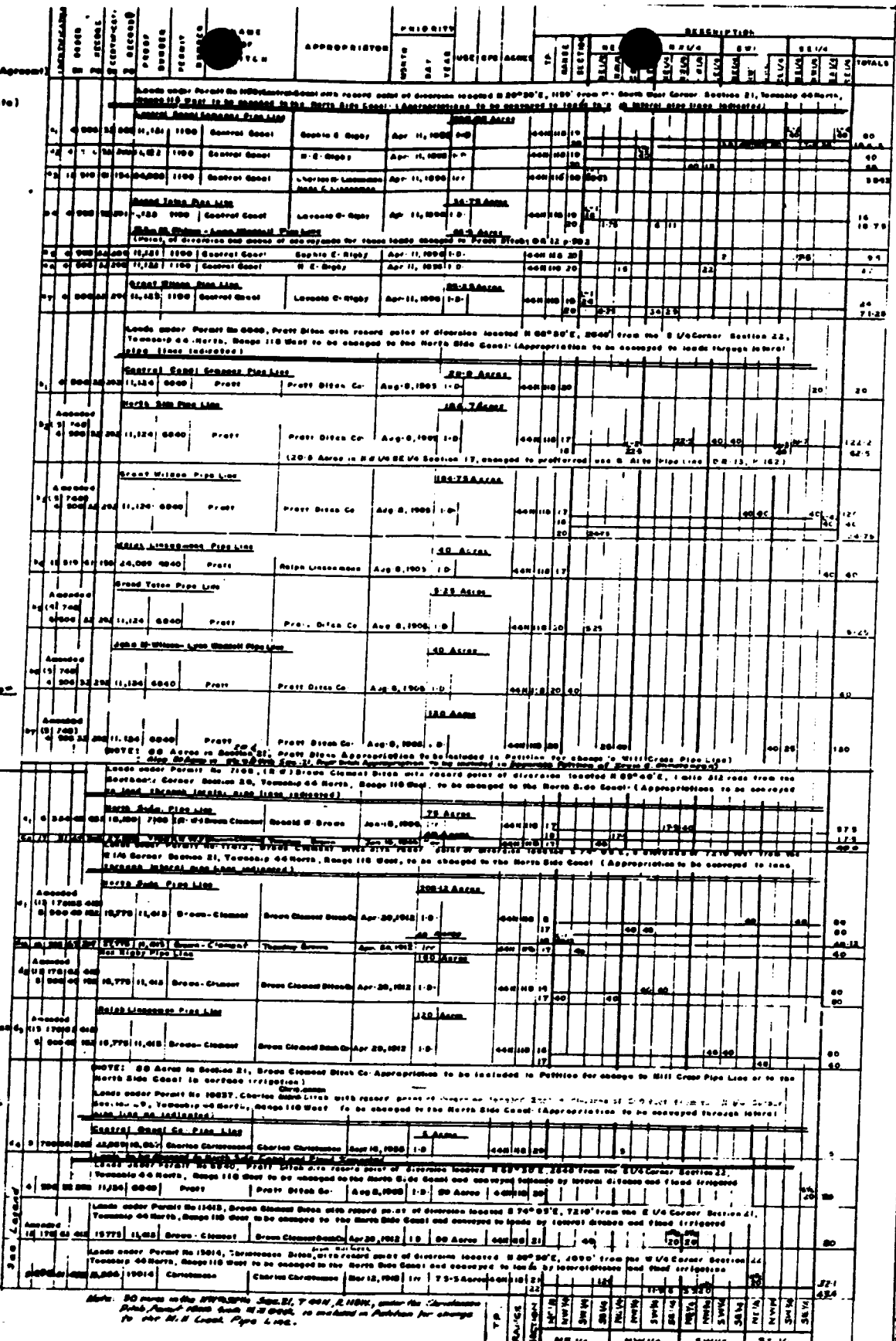
Date _____

MICROFILM

NOV 07 1992

Last Name Durtschi Ident. Number _____

Copies White-State, Yellow-Claimant



PETITION No. IV 66 1 21: DISMISSED WITHOUT PREJUDICE MAY 16, 1969	PETITION GRANTED: <u>NOV 26 1968</u>	PETITION TO STATE ENGINEER GRANTED <u>FEBRUARY 13, 1967</u>
--	--------------------------------------	--

0 1 2 3 4 5 6

THIS MAP MAY NOT BE TO SCALE

Idaho Department of Water Resources Receipt

Receipt ID C056247

Payment Amount \$46.00 Date Received 9/17/2001 2:20:43 PM Region State Status
Payment Type Check Check Number 724

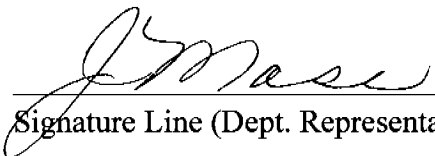
Payer DURTSCHI J RAY OR JOSEPHINE

Comment WATER RIGHT 22-12757

FILE COPY

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$46.00	ADJUDICATION FILING FEE	0337	41503	1155	


Signature Line (Dept. Representative)